

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Baxley offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause, and insert:

Section 1. This act may be cited as the "Nick Oelrich Gift of Life Act."

Section 2. Section 765.510, Florida Statutes, is amended to read:

765.510 Legislative declaration.--Because of the rapid medical progress in the fields of tissue and organ preservation, transplantation of tissue, and tissue culture, and because it is in the public interest to aid the medical developments in these fields, the Legislature in enacting this part intends to encourage and aid the development of reconstructive medicine and surgery and the development of medical research by facilitating premortem and postmortem authorizations for donations of tissue and organs. It is the purpose of this part to regulate the gift

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28 of a body or parts of a body, the gift to be made after the
29 death of a donor, giving due regard to the balance between the
30 rights of the donor and the donor's family and the need for
31 anatomical gifts.

32 Section 3. Subsection (3) of section 765.5215, Florida
33 Statutes, is amended, and subsection (5) is added to said
34 section, to read:

35 765.5215 Education program relating to anatomical
36 gifts.--The Agency for Health Care Administration subject to the
37 concurrence of the Department of Highway Safety and Motor
38 Vehicles, shall develop a continuing program to educate and
39 inform medical professionals, law enforcement agencies and
40 officers, high school children, state and local government
41 employees, and the public regarding the laws of this state
42 relating to anatomical gifts and the need for anatomical gifts.

43 (3) The Agency for Health Care Administration shall, no
44 later than March 1 of each year, submit a report to the
45 Legislature containing statistical data on the effectiveness of
46 the program in procuring donor organs and the effect of the
47 program on state spending for health care. The report shall also
48 include statistical data regarding the number of family members
49 who attempt to modify, deny, or prevent a donor's wish or intent
50 to make an anatomical gift from being accomplished after the
51 donor's death and the number of anatomical gifts revoked
52 pursuant to s. 765.516, delineated by the following categories:

53 (a) The execution and delivery to the donee of a signed
54 statement.

55 (b) An oral statement that is:

56 1. Made to the donor's spouse.

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57 2. Made in the presence of two persons and communicated to
58 the donor's family or attorney or to the donee.

59 (c) A statement made during a terminal illness or injury
60 addressed to an attending physician, who must communicate the
61 revocation of the gift to the procurement organization that is
62 certified by the state.

63 (d) A signed document found on the donor's person or in
64 the donor's effects.

65 (5) The Agency for Health Care Administration shall
66 conduct a survey to determine whether making irrevocable the
67 donation of an anatomical gift would affect the number of
68 donations. The results of the survey shall be submitted to the
69 Legislature no later than March 1, 2004, in conjunction with the
70 report required by subsection (3).

71 Section 4. This act shall take effect July 1, 2003.

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74 ===== T I T L E A M E N D M E N T =====

75 Remove the entire title, and insert:

76 A bill to be entitled

77 An act relating to anatomical gifts; creating the "Nick
78 Oelrich Gift of Life Act"; amending s. 765.510, F.S.;
79 revising a legislative declaration; amending s. 765.5215,
80 F.S.; requiring the Agency for Health Care Administration
81 to conduct a study and a survey relating to anatomical
82 gifts; providing an effective date.
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